IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Crl.Rev.Pet.No. 336 of 2006(B)

CC.28/89 OF JFCM-II(MOBILE), KOTTAYAM

REVN. PETITIONER: PETITIONER/PW1

N.SANJAYAN, S/O.NARAYANAN,
PADMALAYAM HOUSE, KOTTAYAM DISTRICT,
REPRESENTED BY THE POWER OF ATTORNEY
MR.PRABHAKAR R.S., S/O.RAJARAM, AGED 45 YEARS,
PADMALAYAM, LALAM VILLAGE, PALA,
KOTTAYAM DISTRICT.

BY ADV. SRI.TOMY SEBASTIAN

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 336 OF 2006 B

Dated this the 1st day of October, 2007

O R D E R

The order impugned in this revision is the order dated 4.5.04 in CMP No.109/04 in C.C.No.28/89 on the file of the JFCM-II(Mobile) Kottayam. As per the said order the revision petitioner's application under sections 451 and 452 Cr.P.C. for return of the gold ornaments involved in the above C.C. case and received in court as T.No.22/89 was dismissed as premature holding that the matter is pending in appeal. The learned counsel for the revision petitioner submits that the order pending before this court was Crl.R.P.592/99 and since the Crl.R.P. has been finally disposed of by this court on 8.8.07, this revision may be dismissed without prejudice to the right of the petitioner to move the court below for custody of the gold ornaments in question.

This revision is disposed of as above.

(V. RAMKUMAR, JUDGE)

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